

JOHN E. SMITH
NICK K. BROOKE
SMITH & STEPHENS, P.C.
315 West Pine Street
Missoula, Montana 59802
Phone: (406) 721-0300
Fax: (406) 721-5370
john@smithstephens.com
nick@smithstephens.com

Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

KEVIN WASHINGTON,

Plaintiff,
vs.

MATTHEW BRENT GOETTSCHE,

Defendant.

Cause No. CV-20-2-BU-BMM-KLD

**DEFENDANT'S OPPOSED MOTION
TO STAY PROCEEDINGS**

MOTION

COMES NOW the above named Defendant, through Counsel, and requests the Court to enter a stay of proceedings while the criminal matter related to this case is pending, pursuant to the Fifth Amendment of the U.S. Constitution and *Lefkowitz v. Turley*, 414 U.S. 70, 77, 94 S. Ct. 316, 322, (1973).

The Plaintiff has been contacted and opposes this motion.

RESPECTFULLY SUBMITTED this 7TH day of February, 2020.

SMITH & STEPHENS, P.C.

by: /s/John E. Smith
John E. Smith
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of February, 2020, a copy of the foregoing document was served on the following persons by the following means:

1, 2 CM-ECF
 Hand Delivery
 Mail
 Overnight Delivery Service
 Fax

1. CLERK, UNITED STATES DISTRICT COURT
2. Kris McLean

By: /s/John E. Smith
John E. Smith
SMITH & STEPHENS, P.C.
Attorney for Defendant